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Docket - 222

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

POLICY & PLANNING
BRANCH ROOM 5202

30 MAR 1993

IN REPLY REFER TO:

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APR 1 - 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Martin Hoke
House of Representatives
212 Cannon Building
Washington, D.C. 20515

Dear Congressman Hoke:

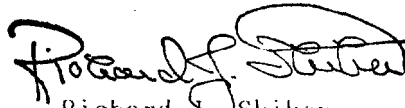
This is in reply to your letter of March 9, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituents' concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituents' letters will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,



Richard J. Shiben
Chief, Land Mobile & Microwave Division
Private Radio Bureau

Enclosures
cc:

CNTL NO - 9301229

Chief, PR Bureau
Chief, LM&M Division
Docket Files, Room 222
P&P Branch File (Pink)

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DUE: 3-24-93

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AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 03/17/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9301229	03/17/93	03/09/93	04/06/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Martin Hoke	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/hm 3-17-93			

DATE	DATE	DATE	DATE
03/17/93			

REMARKS:

MARTIN R. HOKE
10TH DISTRICT, OHIO

COMMITTEES:
BUDGET
SCIENCE, SPACE,
AND TECHNOLOGY
TASK FORCE ON HEALTH

7RB
92-235
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March 9, 1993

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
Room 808
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Solheim:

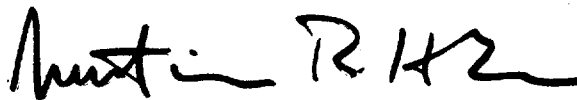
Please find enclosed a sample copy of one of dozens of letters that I have received from constituents who operate radio-controlled (R/C) aircraft and have expressed concern about a pending Federal Communications Commission regulatory change apparently restricting their access to the frequency channels needed for land mobile dispatch operations.

Because of my strong interest in ensuring that citizens can safely operate R/C aircraft and do not experience unfair or unnecessary limitations on their hobby as a result of federal regulations, I would deeply appreciate your investigating this matter and replying to me as soon as possible.

Thank you in advance for your time and cooperation.

Kindest personal regards.

Very truly yours,



Martin R. Hoke
Member of Congress

MRH:pfm

Dear Congressman Hoke:

I have been interested in aviation for as long as I can remember. I have even taken the first few steps in the process of obtaining a private pilot's license. I enrolled and completed the ground school training course, after which I successfully passed the FAA Private Pilot's exam. Unfortunately, when the cost of air time became excessive, and my personal free time was also limited, I had to reluctantly give up my dream of obtaining a pilot's license and flying aircraft. Since then, I have become an active pilot in another way, that is through radio controlled (R/C) aircraft.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 Mhz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of your rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 KHz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 Mhz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 Mhz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

It was only a few weeks after I completed building a new plane last fall and I was out at our club's local airfield, when another R/C pilot, who was on the same frequency as I, forgot to turn his radio off after completing his flight. When I took off with my plane, it climbed to about 20 feet before the signal from the other radio became strong enough to interfere with my signal. The plane then made a sharp left turn, and kept turning until it was pointing straight into the ground. In a matter of seconds my new plane was transformed into a pile of kindling. I was relieved that the plane did not bank to the right which would have put it on a collision course with the spectator area. Statistically, the probability of this happening increases greatly as fewer channels become available, forcing more people to share only a small number of channels.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 Mhz band. We all need your help urgently because the FCC has a deadline of February 26, 1993, after which it may become more difficult to prevent these proposals from going into effect.